PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, APRIL 9 1985

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING April 9 A.D., 19 85, IN Regular SESSION. PRESIDENT Mark E. GiaQuinta IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT:

COUNCILMAN:, , ,

THE INVOCATION WAS GIVEN BY

THE MINUTES OF THE LAST REGULAR March 26, 19 85,

, 19,

SPECIAL, 19,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, April 9, 1985 the _____ day of _____, 19____, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

_____
SANDRA E. KENNEDY, CITY CLERK

OFFICE OF THE MAYOR

March 28, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, March 28, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of March 26, 1985.

(Bill No. S-85-03-02)
SPECIAL ORDINANCE NO. S-32-85

AN ORDINANCE approving Civil City Bid No. 1181, by the City of Fort Wayne, by and through its Department of Purchasing and Hall Signs, Inc., for the Traffic Engineering Department

(Bill No. S-85-03-03)
SPECIAL ORDINANCE NO. S-33-85

AN ORDINANCE approving Civil City Purchase Order #A-39098 with U.S. Standard Sign Co., for the Traffic Engineering Department of the City of Fort Wayne, Indiana

(Bill No. S-85-03-04)
SPECIAL ORDINANCE NO. S-49-85

AN ORDINANCE ratifying Bid Reference No. 1175 by the City of Fort Wayne by and through its Parks and Recreation Department with Schenkel Construction for the Botanical Conservatory

(Bill No. S-85-03-05)
SPECIAL ORDINANCE NO. S-34-85

AN ORDINANCE approving Civil City Purchase Order #A-39094, by the City of Fort Wayne, by and through its Department of Purchasing and Flex-O-Lite Division, LGI, Inc., for the Traffic Engineering Department

(Bill No. S-85-03-06)
SPECIAL ORDINANCE NO. S-35-85

AN ORDINANCE approving Civil City Purchase Order #A-39100 with MacDonald Machinery, for the Traffic Engineering Department of the City of Fort Wayne, Indiana

(Bill No. S-85-03-07)
SPECIAL ORDINANCE NO. S-36-85

AN ORDINANCE approving Civil City Purchase Order #A-39102 with Hi-Vu, Inc., for the Traffic Engineering Department of the City of Fort Wayne, Indiana

(Bill No. S-85-03-08)
SPECIAL ORDINANCE NO. S-37-85

AN ORDINANCE ratifying a Reimbursement Agreement between the City of Fort Wayne, Indiana, by and through its Light and Power Utility (the "City") and Fort Wayne National Bank, Fort Wayne, Indiana (the "Bank")

(Bill No. S-85-03-31
SPECIAL ORDINANCE NO. S-38-85

AN ORDINANCE ratifying the setting of wages for the union members of the Fort Wayne Fire Department who are bargaining union members of The Fort Wayne Professional Firefighters Union, Local 124

(Bill No. S-85-03-32)
SPECIAL ORDINANCE NO. S-39-85

AN ORDINANCE awarding a Contract by and between the City of Fort Wayne, Indiana, through its Board of Public Works and Safety and Fleming Excavating, Inc., for the development of Summit Park

(Bill No. S-85-03-33)
SPECIAL ORDINANCE NO. S-40-85

AN ORDINANCE approving a Contract by and between the City of Fort Wayne, Indiana, through its Board of Public Works and Safety and Leininger Excavating, Inc., for offsite ditch work at Summit Park

(Bill No. R-85-03-10)
DECLARATORY RESOLUTION NO. R-33-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-03-12)
DECLARATORY RESOLUTION NO. R-34-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-03-14)
DECLARATORY RESOLUTION NO. R-35-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-03-16)
DECLARATORY RESOLUTION NO. R-36-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-03-18)
DECLARATORY RESOLUTION NO. R-37-85

A DECLARATORY RESOLUTION confirming the designation of an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-03-19)
RESOLUTION NO. R-38-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $1,000,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT PHD, INC. TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-03-20)
RESOLUTION

AMENDED
A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $1,000,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT MARKETING IMPACT, INC. TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-03-21)
RESOLUTION NO. R-40-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $8,500,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT EDY'S GRAND ICE CREAM OR ITS ASSIGNEE TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-03-41)
DECLARATORY RESOLUTION NO. R-41-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-42-85)
DECLARATORY RESOLUTION NO. R-42-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. S-85-03-23)
SPECIAL ORDINANCE NO. S-41-85

AN ORDINANCE approving City Utilities Bid No. 727, by the City of Fort Wayne by and through its Department of Purchasing and either Underground Pipe and Valve or Etna Supply, for the Water Maintenance and Service Department

(Bill No. S-85-03-24)
SPECIAL ORDINANCE NO. S-42-85

AN ORDINANCE approving City Utilities Bid No. 725, by the City of Fort Wayne by and through its Department of Purchasing and either Etna Supply or Treaty Co., for the Water Maintenance and Service Department

(Bill No. S-85-03-25)
SPECIAL ORDINANCE NO. S-43-85

AN ORDINANCE approving City Utilities Purchase Order #A-43905, by the City of Fort Wayne by and through its Department of Purchasing and MacDonald Machinery for the Water Pollution Control Maintenance Department

(Bill No. S-85-03-26)
SPECIAL ORDINANCE NO. S-44-85

AN ORDINANCE approving City Utilities Purchase Order #A-43889 by the City of Fort Wayne by and through its Department of Purchasing and Moore Business Forms for the Data Processing Department

(Bill No. S-85-03-27)
SPECIAL ORDINANCE NO. S-45-85

AN ORDINANCE approving City Utilities Purchase Orders #A-43919, #A-43920 and #A-43921, by the City of Fort Wayne by and through its Department of Purchasing and Glenbrook Dodge and Hefner Chevrolet for various departments

(Bill No. S-85-03-28)
SPECIAL ORDINANCE NO. S-46-85

AN ORDINANCE approving City Utilities Bid No. 729, by the City of Fort Wayne by and through its Department of Purchasing and Tri State Plumbing for the Water Maintenance and Service Department

(Bill No. S-85-03-29)
SPECIAL ORDINANCE NO. S-47-85

AN ORDINANCE approving City Utilities Bid No. 728 by the City of Fort Wayne by and through its Department of Purchasing and Kennedy Valve for the Water Maintenance and Service Department

(Bill No. S-85-03-30)
SPECIAL ORDINANCE NO. S-48-85

AN ORDINANCE approving City Utilities Purchase Orders #A-43924 through #A-43935, by the City of Fort Wayne by and through its Department of Purchasing and Lincolnway International, Bob Jackson Ford, Hefner Chevrolet, Allen County Motors and O'Daniel Olds, by the City Utilities Garage for various departments

(Bill No. R-85-03-37)
RESOLUTION NO. R-32-85

A RESOLUTION requesting the Indiana Public Service Commission not implement a change in telephone pricing based on measured service or usage sensitive pricing prior to the completion of an independent impact study

(Bill No. R-85-03-51)
RESOLUTION NO. R-43-85

A RESOLUTION requesting that the State Legislature defeat H.B. 1885, a bill requiring that budgets and tax levies of boards in special purpose districts be subject to approval by an elected body with jurisdiction over the districts' area

(Bill No. G-85-01-30)
GENERAL ORDINANCE NO. G-07-85

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley thereof

Respectfully yours,

Win Moses, Jr.
Mayor

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

27 March 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

BILL NO. G-85-03-49

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of March 1985.

Melvin O. Smith
Secretary

FACT SHEET

G-85-03-49
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Easement Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Easement lying between Lots 6 & 7 in Centennial Industrial Park, Section II

Reason for Project

To allow construction of a new commercial building.

Discussion (Including relationship to other Council actions)

March 18, 1985 Public Hearing

Larry Shine, attorney for the peitioners, stated that Wayne Fasteners, Inc., wanted to enlarge their business. He stated in order to construct a new building they would be encroaching into the easement unless it were to be vacated. He stated that the easement is not necessary for the maintenance of any utitlities.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

March 21, 1985 Business Meeting

Motion to approve was made and carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Centennial Development Corp. **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date February 22, 1985

Projected Completion or Occupancy Date April 4, 1985

Fact Sheet Prepared by Date April 4, 1985

Pat Biancaniello

Reviewed by Date April 4, 1985

Gary F. Baeten

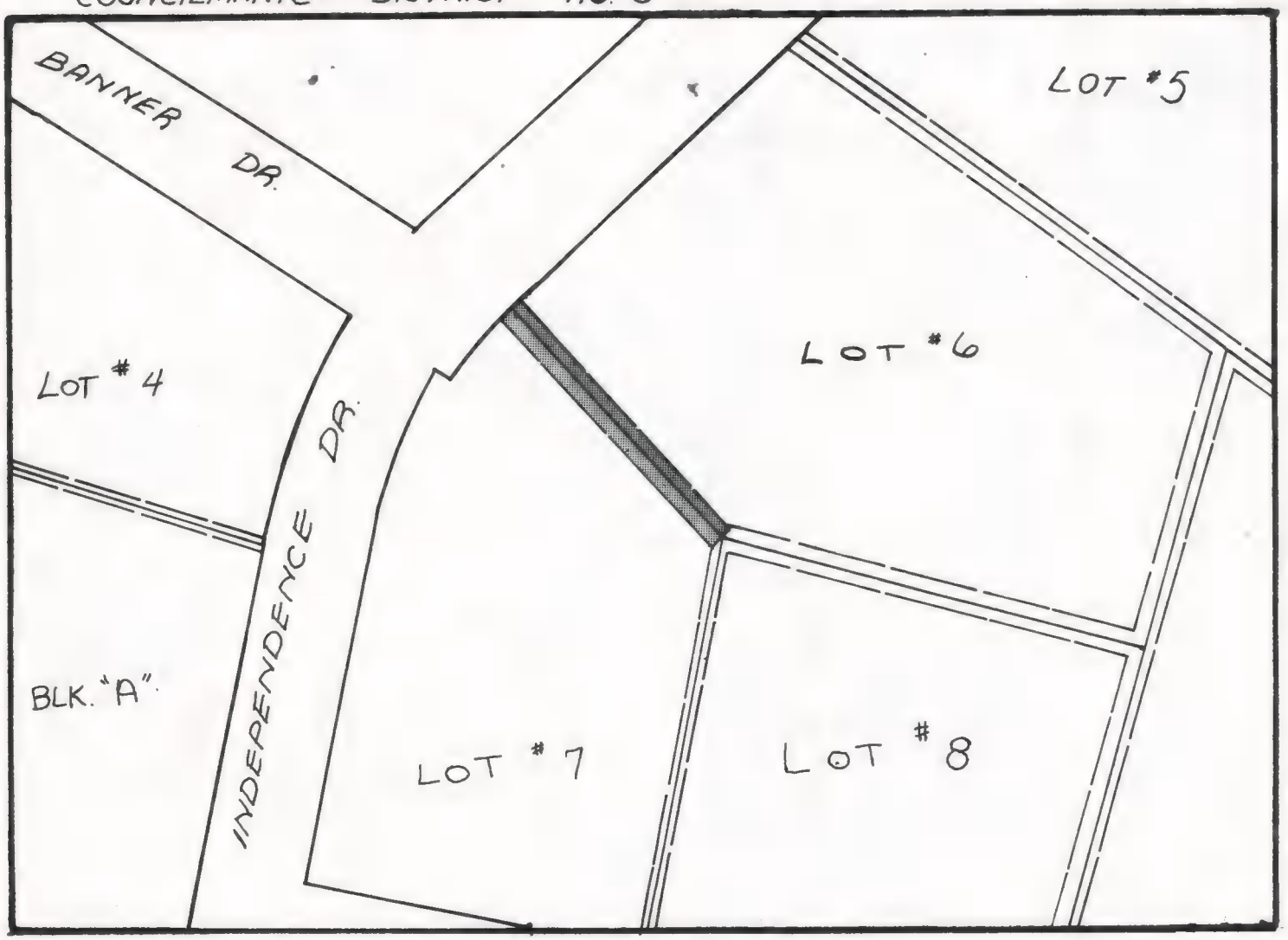
Reference or Case Number

VACATION PETITION - #116

A PETITION TO VACATE THE DESCRIBED EASEMENT BETWEEN LOTS 6 AND 7.

MAP NO. I-22

COUNCILMANIC DISTRICT NO. 3



Zoning:

Land Use:

BILL NO. G-85-03-49

NORTH

Scale: 1"=100'

Date: 3-1-85

RESOLUTION 75-3-5

WHEREAS, PAUL W. SEITZ, PRESIDENT OF CENTENNIAL DEVELOPMENT CORPORATION and THOMAS E. MASON, PRESIDENT OF WAYNE FASTENERS, INC., have petitioned and requested the Fort Wayne Ctiy Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement situtated in Fort Wayne, Allen County, to-wit:

Easement between Lots No. 6 & 7 in Centennial Industrial Park, Section II, addition to the City of Fort Wayne, according to the recorded plat thereof

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of an easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public easement or part thereof for the vacation and operation of its utility facilites shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, David J. Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true, and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held April 3, 1985 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 3rd DAY OF April 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester

David J. Kiester, Director of Public Works

Cosette R. Simon

Cosette R. Simon, Director of Administration & Finance

Lawrence D. Consalvos, Director of Public Safety

RESOLUTION

WHEREAS, PAUL W. SEITZ, PRESIDENT OF CENTENNIAL DEVELOPMENT CORPORATION and THOMAS E. MASON, PRESIDENT OF WAYNE FASTENERS, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated easement in Fort Wayne, Allen County, to-wit:

> Easement between Lots No. 6 & 7 in Centennial Industrial Park, Section II, addition to the City of Fort Wayne, according to the recorded plat thereof

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on March 18, 1985 at 7:00 p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated easement.

WHEREAS, said vacation of the easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said easement in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that the attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held March 25, 1985, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 8th DAY OF April 1985

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith
Secretary

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

27 March 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated alleys.

The proposed ordinance is designated as:

BILL NO. G-85-03-50

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
27th day of March 1985.

Melvin O. Smith
Secretary

FACT SHEET

G-85-03-50

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE Alley Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
Alleys lying between State Blvd.; Spy Run Avenue; Clinton Street & Randolph Street

Reason for Project

Alleys no longer needed all property will become part of I&M Complex.

Discussion (Including relationship to other Council actions)

March 18, 1985 - Public Hearing

Charles Cogdell, attorney representing the petitioner, Indiana & Michigan. He stated there are 4 alleys involved in the requested vacation. He stated that these alleys lie within the I&M complex and they are no longer needed for access. He stated that I&M owns all land adjacent to the alleys and they want them vacated since they are no longer needed.

There was no one present who wished to speak in favor of or in opposition to the proposed alley vacations.

March 25, 1985 - Business Meeting

Motion was made to approve the requested vacations, motion carried.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Indiana & Michigan **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start — Date January 31, 1985

Projected Completion or Occupancy — Date April 4, 1985

Fact Sheet Prepared by — Date April 4, 1985
Pat Biancaniello

Reviewed by — Date April 4, 1985
Gary F. Baeten

Reference or Case Number

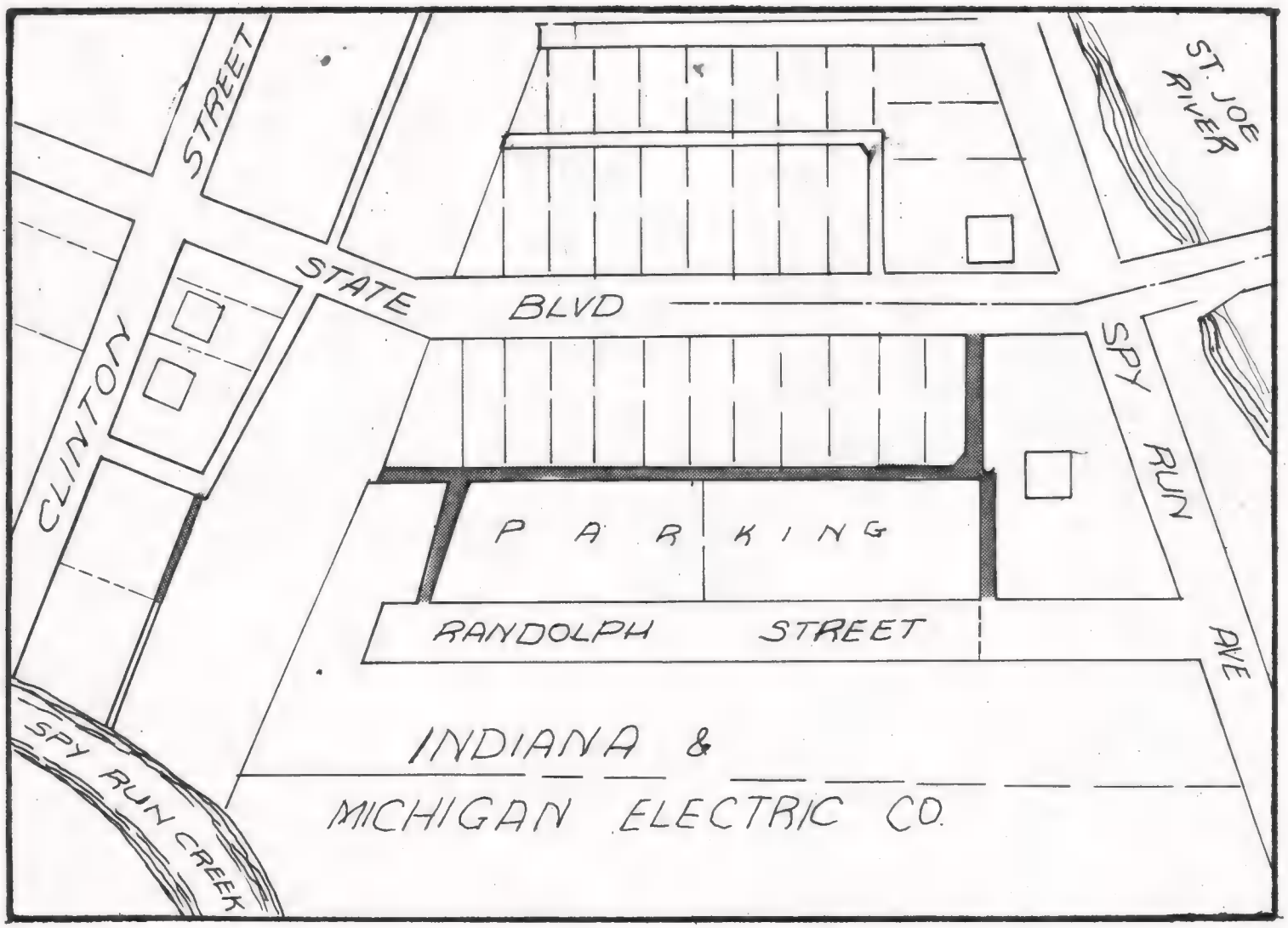
VACATION PETITION

#117

A PETITION TO VACATE THE DESCRIBED ALLEYWAYS.

MAP NO. M-14

COUNCILMANIC DISTRICT NO. 3



Zoning:

Land Use:

BILL NO. G-85-03-50

NORTH

ale: NOT TO SCALE

Date: 2-25-85

RESOLUTION 75-2-4

WHEREAS, INDIANA & MICHIGAN ELECTRIC COMPANY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys situated in Fort Wayne, Allen County, to-wit:

A platted alley, 10 feet wide, lying along the South line of Lots 4 through 15 and along the East line of Lot 4 in C.L. Centlivre Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot Number 3 in said C.L. Centlivre Addition to the City of Fort Wayne, Indiana; thence South bearing assumed along the West line of Lots Number 3, 2 and 1 a distance of 125.00 feet; thence South 89 degrees 54 minutes 30 seconds West along the North line of Lots Number 19 through 13, and Lots Number 22, 23 and a part of Lot Number 24 in Eckart's Addition to Fort Wayne a distance of 527.00 feet; thence North 34 degrees 59 minutes 30 seconds East along the Easterly line of the former St. Joseph Feeder Canal 12.21 feet to the Southwest corner of Lot Number 15 in said C.L. Centlivre Addition; thence North 89 degrees 54 minutes 30 seconds East along the South line of Lots Number 15 through 4 a distance of 505.00 feet; thence North 44 degrees 54 minutes 30 seconds East 7.07 feet to a point on the East line of Lot Number 4 in the C.L. Centlivre Addition; thence North along the East line of Lot Number 4 a distance of 110.00 feet to the Northeast corner of Lot 4 on the South line of State Street; thence North 89 degrees 54 minutes 30 seconds East along said South line of State Street 10.00 feet to point of beginning;

An alley 10 feet wide, lying East of Lot 19 in Eckart's Addition to the City of Fort Wayne, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot Number 19 in Eckart's Addition to the City of Fort Wayne, Indiana; thence North bearing assumed along the East line of said Lot Number 19 a distance of 107.50 feet to the Northeast corner thereof; thence North 89 degrees 54 minutes 30 seconds East 10.00 feet; thence South along the West line of Lots Number 21 and 20 in said Eckart's Addition 107.50 feet to the Southwest corner of said Lot Number 20 on the North line of Randolph Street; thence South 89 degrees 54 minutes 30 seconds West 10.00 feet to the point of beginning;

ALSO:

An alley conveyed by Petitioner to the City of Fort Wayne by quit claim deed dated May 11, 1954, lying West of Lot 23 in Eckart's Addition to the City of Fort Wayne, Indiana, more particularly described as follows:

Beginning at a point in the North line of Randolph Street eleven (11) feet west of the Southeast corner of Lot No. 23, Eckart's Continuation Addition to the City of Fort Wayne as recorded in Deed Record Book 67 on page 36 of the Records in the Recorder's Office of Allen County, Indiana; thence East eleven (11) feet to the Southeast corner of said Lot No. 23; thence Northeasterly along the Easterly line of said Lot No. 23 to the Northeast corner of said lot being located in the South line of a platted alley; thence West along the North line of said Lot No. 23, and along the South line of said platted alley sixteen (16) feet; thence Southwesterly to the place of beginning;

ALSO:

A strip of land 5 feet wide by 100 feet long lying adjacent to and immediately Southeasterly of Lot 24 JOHN H. JACOB'S ADDITION to the City of Fort Wayne as recorded in Plat Book 2, page 88, in the Office of the Recorder of Allen County, Indiana, and furthermore designated "alley" on said plat;

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alleys hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public alleys or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, David J. Kiester Chairman of the Board of Public Works, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held April 3, 1985 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 3rd DAY OF April 1985

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester

David J. Kiester, Director of Public Works

Cosette R. Simon

Cosette R. Simon, Director of Administration & Finance

Lawrence D. Consalvos, Director of Public Safety

RESOLUTION

WHEREAS, INDIANA & MICHIGAN ELECTRIC COMPANY has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys situated in Fort Wayne, Allen County, to-wit:

A platted alley, 16 feet wide, lying along the South line of Lots 4 through 15 and along the East line of Lot 4 in C.L. Centlivre Addition to the City of Fort Wayne, Indiana, more particularly described as follows, to-wit:

Beginning at the Northeast corner of Lot Number 3 in said C.L. Centlivre Addition to the City of Fort Wayne, Indiana; thence South bearing assumed along the East line of Lots Number 3, 2 and 1 a distance of 125.00 feet; thence South 89 degrees 54 minutes 30 seconds West along the North line of Lots Number 19 through 13, and Lots Number 22, 23 and a part of Lot Number 24 in Eckart's Addition to Fort Wayne a distance of 527.00 feet; thence North 34 degrees 59 minutes 30 seconds East along the Easterly line of the former St. Joseph Feeder Canal 12.21 feet to the Southwest corner of Lot Number 15 in said C.L. Centlivre Addition; thence North 89 degrees 54 minutes 30 seconds East along the South line of Lots Number 15 through 4 a distance of 505.00 feet; thence North 54 degrees 54 minutes 30 seconds East 7.07 feet to a point on the East line of Lot Number 4 in the C.L. Centlivre Addition; thence North along the East line of Lot Number 4 a distance of 110.00 feet to the Northeast corner of Lot 4 on the South line of State Street; thence North 89 degrees 56 minutes 00 seconds East along said South line of State Street 10.00 feet to point of beginning;

An alley 10 feet wide, lying East of Lot 19 in Eckart's Addition to the City of Fort Wayne, Indiana, more particularly described as follows:

Beginning at the Southeast corner of Lot Number 19 in Eckart's Addition to the City of Fort Wayne, Indiana; thence North bearing assumed along the East line of said Lot Number 19 a distance of 107.50 feet to the Northeast corner thereof; thence North 89 degrees 54 minutes 30 seconds East 10.00 feet; thence South along the West line of Lots Number 21 and 20 in said Eckart's Addition 107.50 feet to the Southwest corner of said Lot Number 20 on the North line of Randolph Street; thence South 89 degrees 54 minutes 30 seconds West 10.00 feet to the point of beginning;

ALSO:

An alley conveyed by Petitioner to the City of Fort Wayne by quit claim deed dated May 11, 1954, lying West of Lot 23 in Eckart's Addition to the City of Fort Wayne, Indiana, more particularly described as follows:

Beginning at a point in the North line of Randolph Street eleven (11) feet west of the Southeast corner of Lot No. 23, Eckart's Continuation Addition to the City of Fort Wayne as recorded in Deed Record Book 67 on page 76 of the Records in the Recorder's Office of Allen County, Indiana; thence East eleven (11) feet to the Southeast corner of said Lot No. 23; thence Northeasterly along the Easterly line of said Lot No. 23 to the Northeast corner of said lot being located in the South line of a platted alley; thence West along the North line of said Lot No. 23, and along the South line of said platted alley sixteen (16) feet; thence Southwesterly to the place of beginning;

ALSO:

A strip of land 5 feet wide by 100 feet long lying adjacent to and immediately Southeasterly of Lot 24 JOHN H. JACOB'S ADDITION to the City of Fort Wayne as recorded in Plat Book 2, page 88, in the Office of the Recorder of Allen County, Indiana, and furthermore designated "alley" on said plat;

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on March 18, 1985, at 7:00 p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alleys.

WHEREAS, said vacation of the alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alleys hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alleys hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alleys or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said alleys in Alley County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held March 25, 1985, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 8th DAY OF April, 1985

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith
Secretary

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

8 April 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission one one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-03-48

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-03-48

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

900 Block East Cook Road

Reason for Project

Develop a single family subdivision.

Discussion (Including relationship to other Council actions)

March 18, 1985 - Public Hearing

Tom Swihart, attorney for petitioners, stated that the petitioners want the rezoning so that the entire Lot C will be zoned one zoning. Presently the northern portion of the lot is R-1 and the portion being requested for rezoning is RA. He stated they have submitted a development plan for the presently zoned R-1 property and if rezoned the southern portion will be compatible for future development.

Ben Eisbart stated that the staff recommended deferral of the rezoning request until such time as a plan is submitted for development of this portion also.

Mr. Swihart stated they are asking for the rezoning because the RA zoning requires a larger lot size and he felt the staff's request was a concern that the property to the south that is up for rezoning would be landlocked, since there is no access to this portion, except through the northern portion of the lot.

Edith Kenna asked Mr. Swihart what his reaction to a deferral would be.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Richard & Minota Bidlack **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

Mr. Swihart stated he did not know how the developer would feel. He stated their intention was to get started as soon as possible on developing the already zoned R-1 portion of the property to the north. He stated it is possible if the southern half of the property is not rezoned R-1 as requested, they would have to change the plans to make the entire subdivision compatible, because of the difference in the size of lot requirements in the two different zonings.

V.C. Seth, Director of Planning for CD&P, stated the staff's concern is with the southern half of the property, being requested for rezoning and the fact that it is landlocked. He stated the Commission could also not give final plat approval for the northern half of the lot until a primary development plan has been submitted for the southern half of the property.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

March 21, 1985 - Business Meeting

Motion was made and carried to approve the rezoning request from RA to R-1.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** February 22, 1985

Projected Completion or Occupancy **Date** April 4, 1985

Fact Sheet Prepared by **Date** April 4, 1985
Pat Biancaniello

Reviewed by **Date** April 4, 1985
Gary F. Baeten

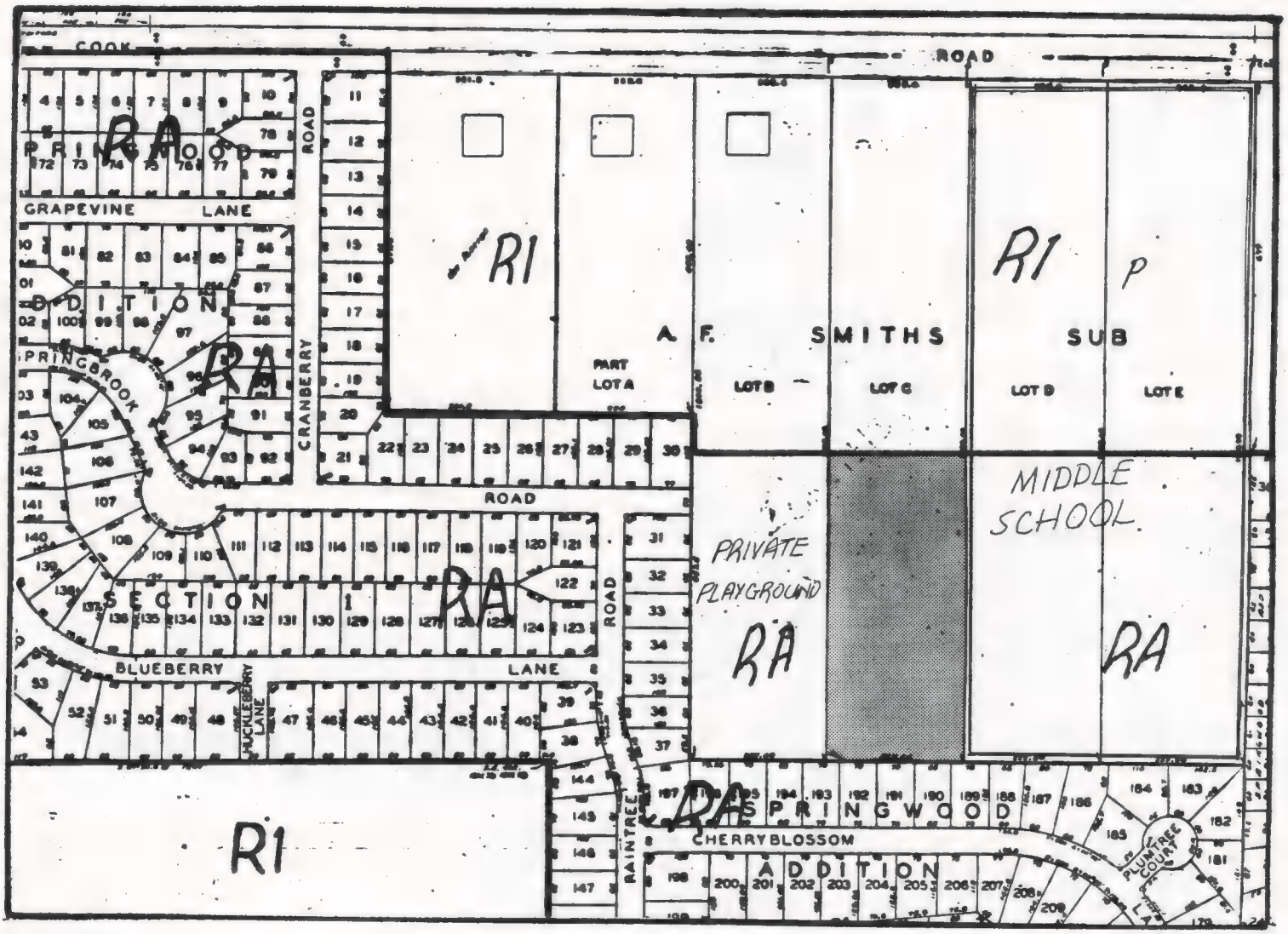
Reference or Case Number

ZONING PETITION - #119

A LOCATION MAP FOR 900 E. COOK ROAD.

MAP NO. N-42

COUNCILMANIC DISTRICT NO. 6



Zoning:

R1 RESIDENTIAL DISTRICT

RA RESIDENCE "A"

Land Use:

☐ SINGLE FAMILY

P PUBLIC - INSTITUTIONAL

BILL NO. Z-85-03-48

NORTH

Scale: NOT TO SCALE

Date: 3-1-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 26, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-03-48; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 18, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1985.

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

8 April 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-02-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-02-12
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE
Zoning Ordinance Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address
4100 Columbia Avenue

Reason for Project
Expansion of "Diamond Jim's" amusement park.

Discussion (Including relationship to other Council actions)

February 25, 1985 - Public Hearing

Dan Roberts, developer and owner, stated they were asking for the rezoning in order to expand the present amusement park "Diamond Jim's" by adding a Water Slide. He stated the park presently consists of video games, miniature golf course, refreshment stand and an outdoor roller rink with lights and music, and a go-cart track for children 10 years and older and adults.

Mr. Roberts stated that the water slide is a new concept to Fort Wayne.

Mr. Roberts stated that the City of Fort Wayne commissioned a consulting firm from Texas to conduct a market study for the feasibility of a water park to be constructed within the city's corporate boundaries. He stated that the study showed a recommendation that a water park be built on city owned property including one 14,000 sq. ft. wave pool, one 1,200 sq. ft. kiddie pool, 5 water slides, one 750 ft. arcade building, one 400 sq. ft. refreshment building

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Daniel Roberts **City Department** **Other**
Opponents	**Groups or Individuals** Richard Ellenwood Resident - 1223 Inwood **Basis of Opposition** -detriment to area; - devalu property; noise problem; traffic congestion; unimproved streets & sewers in area
Staff Recommendation	☐ For ☒ Against **Reason Against** -adverse impact in area -undue hardship does not exis -difficult to deny other requests in this area
Board or Commission Recommendation	**By** ☐ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

and two changing rooms. He stated the study estimated the market area to be a 50 mile radius. It stated that 70% of all customers would live within 5 miles of the park; 25% will live within 5 and 15 miles and the remaining would live within 15 to 50 miles from the park. He stated the projected first annual attendance for the park was 93,000 people. He stated they project 75,000 patrons the 1st year. He stated they project attendance would increase 25% during the next 2 years.

He stated the water park they are proposing would include one 6,000 sq. ft. activities pool. He stated it is a non-swimming pool. He stated it will have a lily-pad walk, three cannonball drops (form of a slide). He stated they also propose a 400 sq. ft. kiddie pool.

He further stated that this type of function (amusement park) has a limited time that it is open through the year, that being the summer months. He stated the water slide area would only be used during daylight hours and would not likely be frequented when the sun goes down.

Richard Ellenwood, 1244 Inwood Drive appeared in oppostion to the rezoning request. Mr. Ellenwood stated the park already creates a traffic problem as well as a noise problem in the area, when it is open. He stated the street is undeveloped and there are no storm sewers in the area. Mr. Ellenwood stated that this type of rezoning would be a detriment to the area. He stated the street is unable to take the traffic, let alone the projected number of cars Mr. Roberts stated. He stated he does not see any need

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

for this requested change.

Resident at 1223 Inwood stated they live directly behind the property appeared in opposition, siting the unimproved street and the noise as a detriment to the area.

Dan Roberts in rebuttal stated he was speaking with various city departments with regard to improving Inwood Avenue and have indicated they are willing to contribute to the cost of repairing the street. He stated there are other improvement needed including extending the water line. He stated that in the three years they have been open they have had only one or two calls complaining about noise. He stated they are very sensitive to the needs of the surrounding residential area.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

March 4, 1985 Business Meeting

The petitioners submit a letter stating that they would be willing to amend their petition to exclude from the rezoning the easterly 130 feet of Lots 27 & 28 to provide for a buffer area. They wished only to be able to use that area for a retention pond.

The Commission deferred any action on the request to the following business meeting on March 25, 1985.

March 25, 1985 Business Meeting

Motion to deny the request for rezoning was made and carried.

Project Start Date 1/18/85

Projected Completion or Occupancy Date 4/4/85

Fact Sheet Prepared by Date 4/4/85
Pat Biancaniello

Reviewed by Date 4/4/85

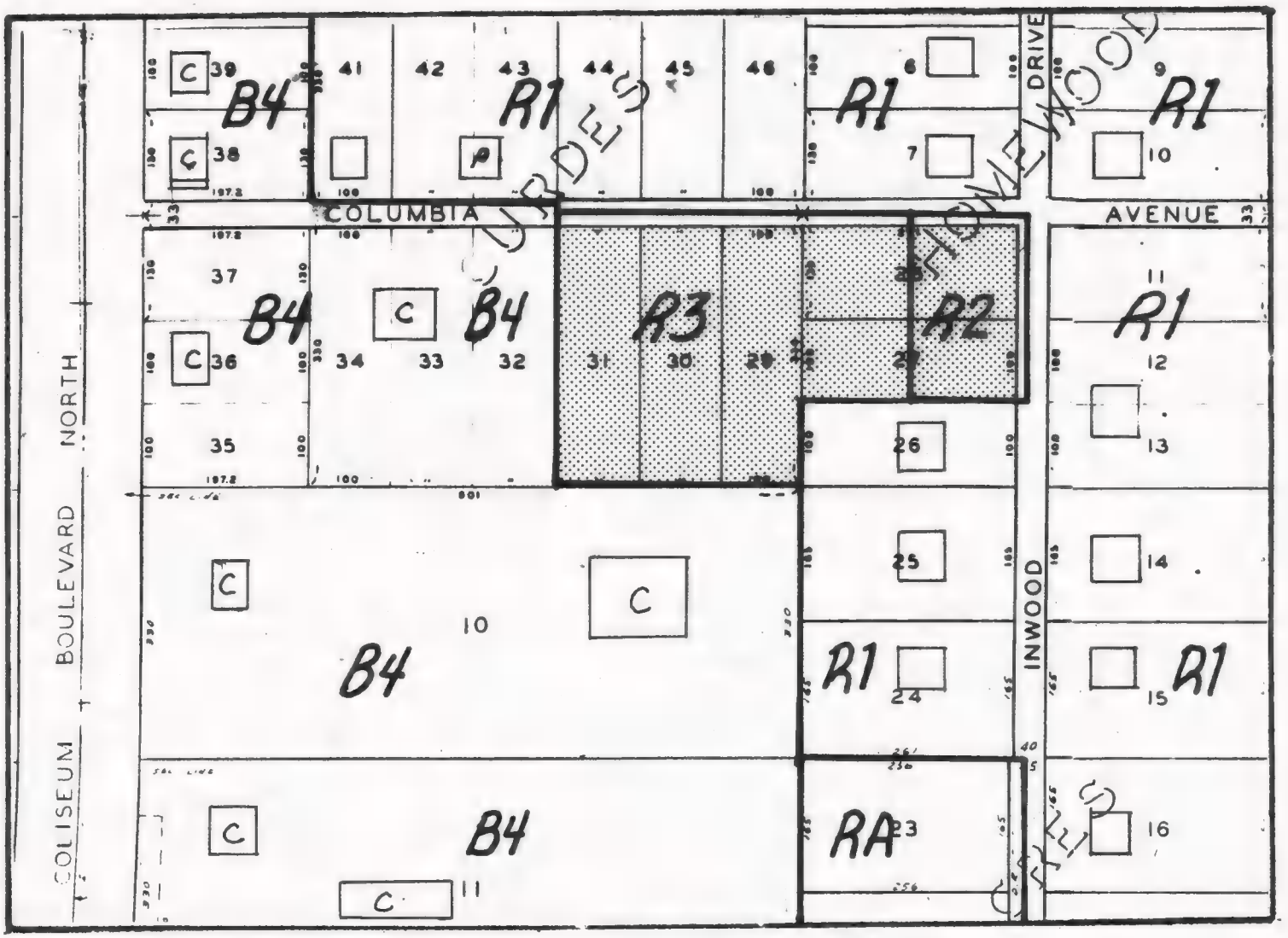
Reference or Case Number

ZONING PETITION - 114

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING DESCRIBED PROPERTY FROM AN R3/R2 DISTRICT TO A B4 DISTRICT.

MAP NO. S-10

COUNCILMANIC DISTRICT NO. 2



Zoning:

- R1 RESIDENTIAL DISTRICT
- R2 RESIDENTIAL DISTRICT
- R3 RESIDENTIAL DISTRICT
- RA RESIDENCE 'A'
- B4 ROADSIDE BUSINESS

Land Use:

- ☐ SINGLE FAMILY
- [C] COMMERCIAL
- [P] PUBLIC-SCHOOL

Bill No. Z-85-02-12

NORTH

Scale: 1"=200"

Date: 1-23-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 12, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-02-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 25, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1985.

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

8 April 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-03-46

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-03-46
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		

DETAILS

Specific Location and/or Address

4606 East State Blvd.

Reason for Project

Enlargement of an existing P.O.D.

Discussion (Including relationship to other Council actions)

March 18, 1985 Public Hearing

William Swift, attorney for the petitioners stated that this rezoning would be an extension of the P.O.D. being developed to the north. He stated they are trying to rezoned to make all of the real estate a POD and provide an office park for the entire 3 parcels of land. He stated his clients own the property to the south and the property to the west as well as the property up for rezoning and the property to the north that is already zoned POD. He stated that all of the property stated above is under one ownership that of East State Professional Center, which is a partnership consisting of six dentists. He stated they feel it would be a benefit to the community to make all of the property compatible for professional offices. He stated that the property is presently R-3 and the P.O.D zoning is a more restrictive zoning than the R-3.

Mel Smith, Commissioner, questioned whether the access from State Street was two-way. Can people turn left or right from the access.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** East State Professional Ctr. **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	[X] For [ ] Against **Reason Against**
Board or Commission Recommendation	**By** [X] For [ ] Against [ ] No Action Taken [ ] For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	[ ] Pass [ ] Other [ ] Pass (as amended) [ ] Hold [ ] Council Sub. [ ] Do not pass

DETAILS

Mr. Swift stated that they are aware that State is a highly traveled artery, but the center also has an access from Reed Road, which eliminates some of the use of the State Street access.

There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.

March 21, 1985 Business Meeting

Motion to approve was made and carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** February 22,1985

Projected Completion or Occupancy **Date** April 4, 1985

Fact Sheet Prepared by **Date** April 4, 1985
Pat Biancaniello

Reviewed by **Date** April 4, 1985
Gary E. Baeten

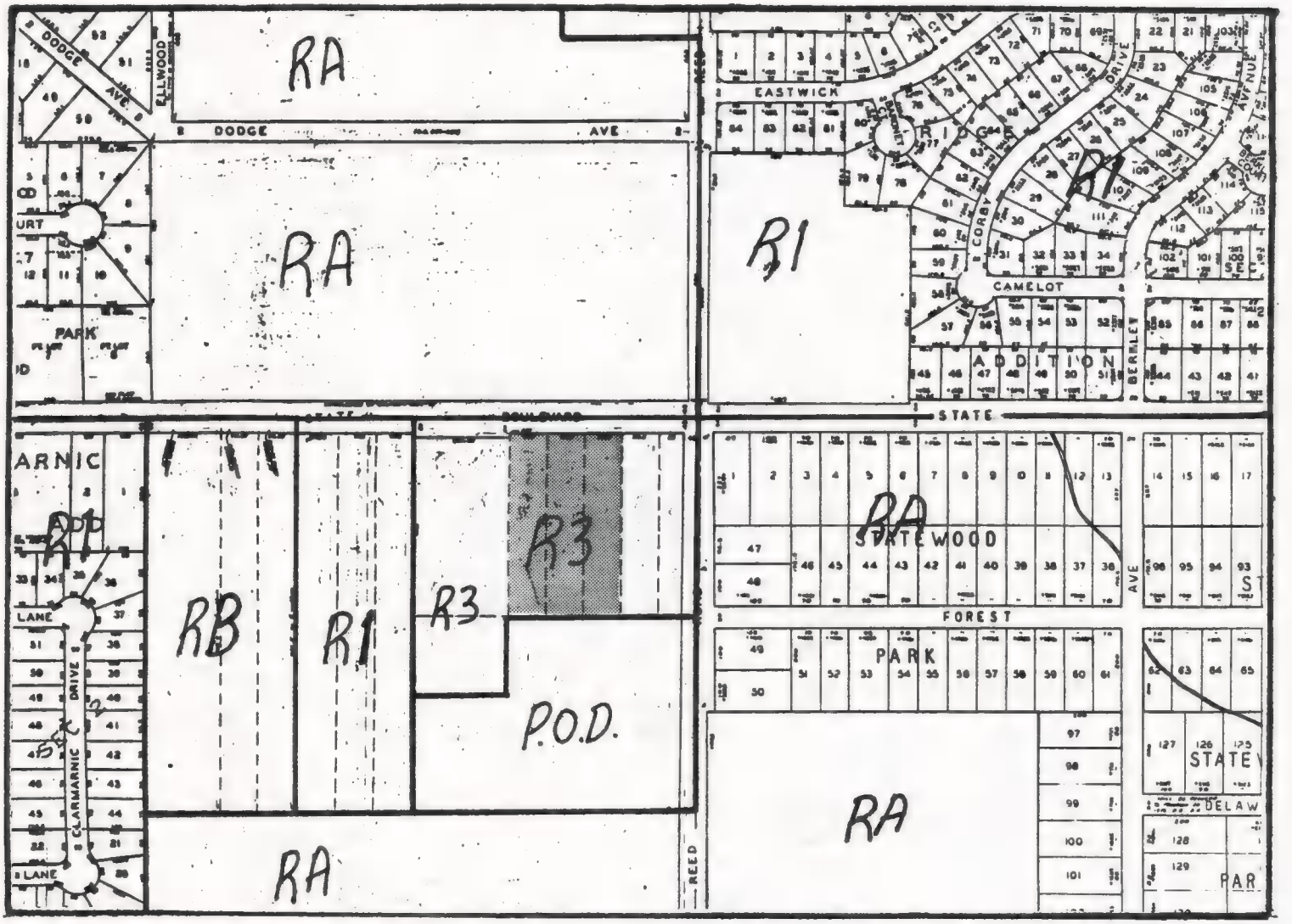
Reference or Case Number

ZONING PETITION - #120

A LOCATION MAP FOR 4606 E. STATE BLVD.

MAP NO. S-14

COUNCILMANIC DISTRICT NO. 2



Zoning:

R1 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
RA RESIDENCE "A"
RB RESIDENCE "B"
P.O.D. PROFESSIONAL OFFICE DISTRICT

Land Use:

BILL NO. Z-85-03-46

NORTH

Scale: 1" = 400'

Date: 3-4-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 26, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-03-46; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 18, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially sith the comprenehsive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1985.

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

8 April 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-02-13

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-02-13
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		

DETAILS

Specific Location and/or Address

3600 Block of Smith Road (South of Fort Wayne Country Club)

Reason for Project

Develop single family subdivision.

Discussion (Including relationship to other Council actions)

March 18, 1985 Public Hearing

A letter was submitted by the petitioner making a commitment to develop the land only for single family use.

Peter Gallucci, representing petitioner state they intended to build 10 to 12 units and the development would have a condominium type of ownership. He stated the houses would be owned by the purchaser but the common ground would be owned by and controlled by the association. He stated he felt it would give the developer (Frank Gallucci) more control over the development of the homes and enable him to retain control after the project is built. He stated the homes would start at a cost of approximately $200,000.

Mark Strong, engineer with Turnbell Engineering stated that the density allowed under the present zoning is 13, they are planning on a less dense project.

Ben Eisbart questioned why they needed the RA zoning if they intended to build single family.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Frank Gallucci, Sr. **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☐ For ☒ Against **Reason Against** - spot zoning
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

Peter Gallucci stated that if they had to develop under the R-1 they would have to subdivide the property into lots and sell the entire lot and the only way then to enforce any covenants on the land would be through court action. He stated though under the RA they would not be obliged to subdivide the property into lots but could sell the homes only and thereby retain control over the land.

Mr. Strong stated that they also have more flexibility under the RA zoning. He stated with the R-1 zoning they would be restricted by sideyard requirements on each lot, unless they would request a waiver from the BZA. He stated they would end up having to build smaller units on the property.

V.C. Seth, Director of Planning for CD&P, stated the Commission could ask the petitioner to submit a development plan and approve both the rezoning and plan at the same time. He stated this would give the Commission a good idea of what they were approving in the RA zoning. He stated he would still suggest this is spot zoning. He stated though that a plot plan would allow them to approve the request of rezoning based upon the plan.

Gary Baeten, Senior Planner with CD&P, stated that the petitioners submitted the request in stead of going through the Subdivision Control Ordinance to eliminate a considerable amount of complications with setbacks and lot coverage. He stated they have submitted a development plan and a public hearing on the plan is scheduled for April.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Ben Eisbart questioned if a deferral would inconvenience the petitioner.

Mr. Strong stated that it would. He stated they want to be under consturction later this summer if possible. He stated they are willing to work with staff and work out any problems with the development plan they had submitted.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

March 21, 1985 Business Meeting

Motion was made to approve the requested rezoning and carried.

The Plan Commission conditioned the approval provided the property be used for single family residential development as was stated by the petitioner. (Copy of letter from petitioner attached to original rezoning ordinance).

Project Start **Date** December 12, 1984

Projected Completion or Occupancy **Date** April 4, 1985

Fact Sheet Prepared by **Date** April 4, 1985
Pat Biancaniello

Reviewed by **Date** April 4, 1985
Gary T. Baeten

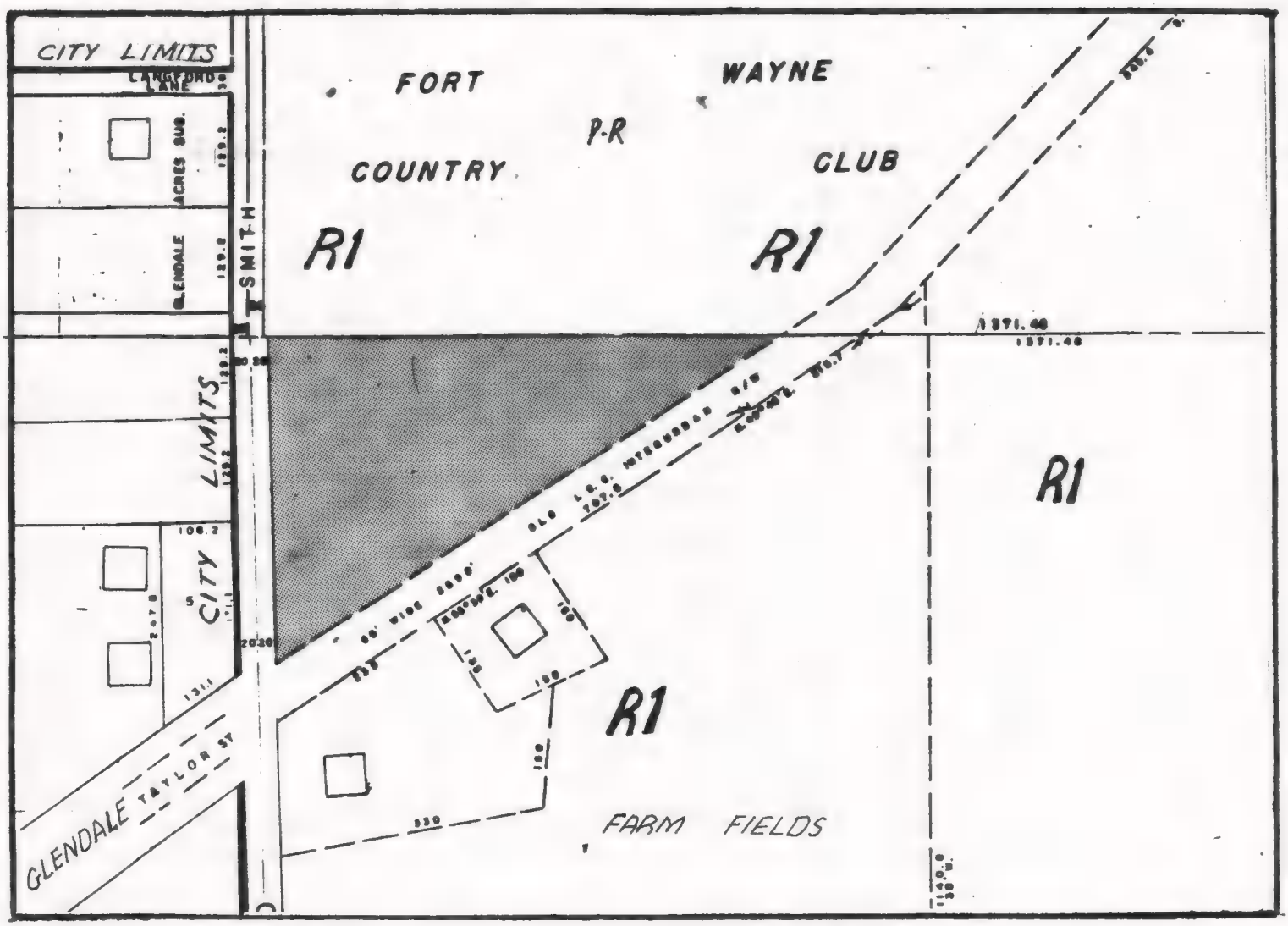
Reference or Case Number

ZONING PETITION #108

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R1 DISTRICT TO A RA DISTRICT.

MAP NO. F-11

COUNCILMANIC DISTRICT NO. 4



Zoning:

R1 RESIDENTIAL DISTRICT

Land Use:

PR PUBLIC - RECREATIONAL

☐ SINGLE FAMILY

Bill No. Z-85-02-13

NORTH

Scale: 1" = 200'

Date: 1-11-84

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 12, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-02-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 18, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1985.

Certified and signed this
8th day of April 1985.

Melvin O. Smith
Secretary

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

45/85/E
46/85/E
47/85/E
48/85/E
49/85/E
50/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 45/85/E
46/85/E
47/85/E
48/85/E
49/85/E
50/85/E)

I hereby certify that I did this 29th day of March, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. see above of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 45/85/E

(Adopted March 28, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 21/85/E: IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 28, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 28, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Sears Roebuck & Company (Glenbrook) -- see attached map for location
4201 Coldwater Rd. of Handicap Parking Stalls
(6 total stalls)

REGULATORY RESOLUTION NO. 46/85/E

(Adopted March 28, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 22/85/E: IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 28, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 28, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

City-County Building -- from a point 486' north of the north curb line of Main Street and 197' east of the east curb line of Calhoun Street (two additional parking stalls making a total of four stalls)

REGULATORY RESOLUTION NO. 47/85/E

(Adopted March 28, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 23/85/E: 2 HR. PARKING 8 A.M. to 6 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 28, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 28, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

2 HR. PARKING 8 A.M. to 6 P.M. (EMERGENCY)

Ewing Street -- both sides -- from Main Street to Pearl Street

REGULATORY RESOLUTION NO. 48/85 /E

(Adopted March 28, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 24/85/E: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 28, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 28, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

West Jefferson Boulevard -- south side -- from Main Street to Manufactures Avenue

REGULATORY RESOLUTION NO. 49/85/E

(Adopted March 28, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 25/85/E: IMPAIRED PARKING (RESIDENTIAL) (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 28, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 28, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1233 Wall Street -- south side -- from 110' east of Nelson Street to 20' east thereof

REGULATORY RESOLUTION NO. 50/85/E

(Adopted March 28, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 26/85/E: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 28, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective March 28, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1025 West Jefferson Boulevard -- south side -- from 95' east of Rockhill Street to 20' east thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 52/85/E
53/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 52/85/E 53/85/E)

I hereby certify that I did this 4th day of April, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 52/85/E 53/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

L D Condra

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 52/85/E

(Adopted April 4, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 27/85/E: 2 HR. PARKING 8 A.M. to 6 P.M. (EMERGENCY); DELETE: 2 HR. PARKING 8 A.M. to 3 P.M. (EMERGENCY), NO PARKING 3 P.M. to 6 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 4, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 4, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

2 HR. PARKING 8 A.M. to 6 P.M. (EMERGENCY)

Wayne Street -- north side -- from Barr Street to Lafayette Street

DELETE: 2 HR. PARKING 8 A.M. to 3 P.M. (EMERGENCY)

Wayne Street -- north side -- from Barr Street to Lafayette Street

NO PARKING 3 P.M. to 6 P.M. (EMERGENCY)

Wayne Street -- north side -- from Barr Street to Lafayette Street

REGULATORY RESOLUTION NO. 53/85/E

(Adopted April 4, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 28/85/E: NO PARKING 8:00 A.M. to 9:00 A.M. & 3:00 P.M. to 4:00 P.M. (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated April 4, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 4, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING 8:00 A.M. to 9:00 A.M. & 3:00 P.M. to 4:00 P.M. (EMERGENCY)

Crescent Avenue -- west side -- Columbia Avenue to Tecumseh Avenue
Edgewater Avenue -- north side -- Tecumseh Avenue to Oneida Street
Edgewater Avenue -- south side -- from 100' west of Tecumseh Avenue to 100' east of Tecumseh
Tecumseh Avenue -- west side -- Columbia Avenue to Edgewater Avenue

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 51/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 51/85/E)

I hereby certify that I did this 1st day of April, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 51/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Condors

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 51/85/E

(Adopted April 1, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY) & DELETE: PREFERENTIAL INTERSECTION (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 29, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective April 1, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Fairfax Avenue — stop — for Plaza Drive

DELETE: PREFERENTIAL INTERSECTION (EMERGENCY)

Plaza Drive — preferential — at Fairfax Avenue